

1 MELINDA HAAG (CABN 132612)  
United States Attorney  
2  
3 BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division  
4  
5 NATHANAEL M. COUSINS (CABN 177944)  
Assistant United States Attorney  
6  
7 150 Almaden Blvd., Suite 900  
San Jose, California 95113  
Telephone: (408) 535-0931  
Facsimile: (408) 535-5066  
E-Mail: [nat.cousins@usdoj.gov](mailto:nat.cousins@usdoj.gov)

8 Attorneys for the United States of America

**FILED**

OCT 14 2010

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, ) No. CR 10-70845 MAG  
14 Plaintiff, )  
15 v. )  
16 JUAN RAMIREZ HERNANDEZ, )  
17 Defendant. )  
\_\_\_\_\_  
STIPULATION REQUESTING  
CONTINUANCE OF STATUS  
CONFERENCE AND PRELIMINARY  
HEARING FROM OCTOBER 14 TO  
OCTOBER 28; AND EXTENDING  
TIME UNDER RULE 5.1(d)

18  
19 The parties submit this stipulation requesting to continue the status conference and  
20 preliminary hearing scheduled before Magistrate Judge Howard R. Lloyd on October 14, 2010,  
21 1:30 p.m., to October 28, 2010, at 1:30 p.m., or any other time available to the Court. The  
22 parties further agree to an extension of time under Federal Rule of Criminal Procedure 5.1(d)  
23 until October 28.

24 Defendant is charged by complaint with federal firearm violations under 26 U.S.C. §§  
25 5861(d) and (i). Counsel for the parties are discussing a pre-indictment disposition of the case  
26 and defendant's counsel is reviewing discovery produced by the government..

27 The parties agree that there is good cause for an extension of time under Rule 5.1(d), taking  
28 into account the public interest in prompt disposition of criminal cases. There are no known

STIPULATION  
CR 10-70845 MAG

1 direct and proximate "victims" in this case as defined by the Crime Victims' Rights Act and the  
2 defendant is detained in federal custody. A proposed order follows.  
3

4 Respectfully submitted,  
5 Dated: October 12, 2010  
6 MELINDA HAAG  
United States Attorney  
7  
8 /s/ Nat Cousins  
Assistant United States Attorney  
9 AGREED.  
10  
11 /s/  
MANUEL ARAUJO  
Attorney for Defendant  
12  
13 **ORDER**  
14 Based upon the Stipulation of the parties and a showing of good cause, and taking into  
15 account the public interest in prompt disposition of criminal cases, the Court continues the status  
16 conference in this case to October 14, 2010, at 1:30 p.m. and orders time extended under Federal  
17 Rule of Criminal Procedure 5.1 from October 14 to October 28, 2010.  
18 Date: 10/14/10  
19  
20 U.S. Magistrate Judge  
HOWARD R. LLOYD  
21  
22  
23  
24  
25  
26  
27  
28

STIPULATION  
CR 10-70845 MAG